

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION**

Rodney F. Stirewalt,	)	
	)	
Plaintiff,	)	<b>STIPULATION OF DISMISSAL</b>
	)	<b>WITH PREJUDICE</b>
v.	)	
	)	
Norfolk Southern Corporation and	)	C.A. No. : 1:08-CV-358
Norfolk Southern Railway Company,	)	
	)	
Defendants.	)	

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Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the plaintiff, Rodney F. Stirewalt, by and through his undersigned attorney, and the defendants, Norfolk Southern Corporation and Norfolk Southern Railroad Company, by and through their undersigned attorneys, hereby stipulate and agree to dismiss the above-captioned action, and all related counterclaims, cross-claims and/or any other claims with prejudice, and the complaint and all counterclaims, cross-claims and/or any other claims herein are hereby dismissed with prejudice and any and all such claims are hereby res judicata.

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